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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,980	02/25/2002	David M. Chapin	D/A2013	7016

7590 04/06/2006

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EXAMINER

PAPANIKOLAOU, ATHANASIOS T

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/082,980

Applicant(s)

CHAPIN ET AL.

Examiner

Athanasios Tom Papanikolaou

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment was received on 2/2/06, and has been entered and made of record. Currently, **claims 1-11** are pending.

In regards to the typographical errors, the examiner appreciates notification of the errors. The proper publication number for Parry is '2003/0030664'. Furthermore, the citing of Kimbell in the previous Office action has no relevance to the present case and has been replaced with the intended reference of Parry.

### *Response to Arguments*

2. Applicant's arguments filed 2/2/06, with respect to the rejection of claims 1-3 and 5-11, cited in the Office Action dated 11/2/05 as being taught by Lomas (U.S. Patent Application Publication 2004/0105016) and Parry Lomas (U.S. Patent Application Publication 2003/0030664A), have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, new ground(s) of rejection is/are made in view of Lomas, Parry and Nagasaka (U.S. Patent 6,519,049).

### *Claim Rejections - 35 USC § 103*

The text of those sections of Title 35, U.S.C. Code not included in this action can be found in a prior Office action

3. Claims 1-3, 6, and 7 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Lomas (U.S. Patent Application Publication 2002/0097421) in view of Nagasaka (U.S. Patent 6,519,049).

Regarding claim 1, Lomas discloses **a system for installing a printer driver for a printer selected by a user as the printer the user wants to install** (paragraph 16, lines 4-6: install program is configured to client that wishes to utilize a new printer which reads on a client selecting a printer to install) **connected on a network, comprising: a printer driver for the selected printer** (paragraph 13); **an installer, located on a host device connected on the network, responsive to activation, for listening for the printer's identification, and responsive to receipt of the printer's identification, for installing the printer driver on the host device** (see Fig. 1, combine the functionality of the print server with the client) **and a beacon, located at the selected printer...** (paragraph 14).

Lomas does not disclose expressly **...responsive to an input comprising the user accessing a menu on the selected printer's display panel and selecting a button on the menu for activating the beacon**, for broadcasting the printer's identification on the network.

However, Nagasaka discloses **...responsive to an input comprising the user accessing a menu on the selected printer's display panel and selecting a button on the menu for activating the beacon**, for broadcasting the printer's identification on the network (col 2, lines 37-54: a user, through a user interface

connected to a printer, transmits print setting information which inherently includes the printer's identification to establish communication).

Lomas and Nagasaka are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas's system include having a user activate a button on a printer display to transmit printer identification, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas's system could allow a user to initiate the printer to send device information manually instead of automatically. Therefore, it would have been obvious to combine the teachings of Nagasaka with the system of Lomas to obtain the invention in claim 1.

Regarding claim 2, Lomas and Nagasaka disclose the dependency of claim 1, as stated above, and Lomas further teaches **wherein the printer's identification comprises the printer's model name and distinguishing network information** (paragraph 14).

Regarding claim 3, Lomas and Nagasaka disclose the dependency of claim 1, as stated above, and Lomas further teaches **wherein the host device comprises a personal computer** (see Fig. 1, element 14; the device includes a processor, memory, and Windows operating system which inherently represent the key components of personal computers).

Regarding claim 6, Lomas and Nagasaka disclose the dependency of claim 1, as stated above, and Lomas further teaches **wherein the printer's identification comprises a data packet including the printer's IP address on the network** (paragraph 14).

Regarding claim 7, Lomas and Nagasaka disclose the dependency of claim 1, as stated above, and Lomas further teaches **wherein the printer's identification comprises a data packet including the printer's network name on the network** (paragraph 14).

4. Claims 5 and 8-11 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Lomas in view of Nagasaka and further in view of Parry (U.S. Patent Application Publication 2003/0030664).

Regarding claim 5, Lomas and Nagasaka disclose the dependency of claim 1, as stated above, but do not disclose expressly **wherein the printer includes a web server, and responsive to the input, the beacon causes the web server to broadcast the printer's identification on the network**.

Parry discloses **wherein the printer includes a web server, and responsive to the input, the beacon causes the web server to broadcast the printer's identification on the network** (paragraph 71, lines 20 through 27).

Lomas, Nagasaki, and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it

would have been obvious to a person of ordinary skill in the art to have Lomas and Nagasaka's system include a printer with an embedded web server, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas and Nagasaka's system would include a means of displaying an interactive web page to a client computer with information of the printer. Therefore, it would have been obvious to combine the teachings of Parry with the system of Lomas and Nagasaka to obtain the invention in claim 5.

Regarding claim 8 Lomas and Nagasaka disclose the dependency of claim 1, as stated above, but do not disclose expressly **wherein the printer is located on a subnet on the network and wherein the beacon broadcasts the printer's model name and distinguishing network information to all listeners on the printer's subnet and to all listeners on any other subnets known to the printer.**

Parry discloses **wherein the printer is located on a subnet on the network and wherein the beacon broadcasts the printer's model name and distinguishing network information to all listeners on the printer's subnet and to all listeners on any other subnets known to the printer** (see Fig. 2 and paragraphs 43-44; data can be transferred among a printer and workstations on various networks and subnets; for the devices to communicate over a network it is common to provide a sending device's network information, including the devices network name, to potential receiving devices).

Lomas, Nagasaka, and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas and Nagasaka's system broadcast a printer's network information to clients on its own subnet and other networks, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas and Nagasaka's system could communicate with several devices on various networks. Therefore, it would have been obvious to combine the teachings of Parry with the system of Lomas and Nagasaka to obtain the invention in claim 8.

Regarding claim 9, Lomas and Nagasaka disclose the dependency of claim 1, as stated above, but do not disclose expressly **wherein the installer is downloaded onto the host device from a storage location**.

Parry discloses **wherein the installer is downloaded onto the host device from a storage location** (paragraph 71, lines 20 through 27).

Lomas, Nagasaka, and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas and Nagasaka's system download the installer onto the host device from a storage location, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas and Nagasaka's system could have flexibility in obtaining an installer from



various locations. Therefore, it would have been obvious to combine the teachings of Parry with the system of Lomas and Nagasaka to obtain the invention in claim 9.

Regarding claim 10, Lomas and Nagasaka disclose the dependency of claim 1, as stated above, but do not disclose expressly **wherein the installer is downloaded onto the host device from a link in a web page generated by a web server on the network.**

Parry discloses **wherein the installer is downloaded onto the host device from a link in a web page generated by a web server on the network** (paragraph 71, lines 27 through 31).

Lomas, Nagasaka, and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas and Nagasaka's system download the installer onto the host device from a link in web page generated by a web server, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas and Nagasaka's system could have a user manually select an installer from a web page displayed on their desktop. Therefore, it would have been obvious to combine the teachings of Parry with the system of Lomas and Nagasaka to obtain the invention in claim 10.

Regarding claim 11, Lomas, Nagasaka, and Parry disclose the dependency of claim 10, as stated above, but Lomas and Nagasaki do not disclose expressly **wherein the web server is resident on another printer on the network**.

However, Parry further teaches **wherein the web server is resident on another printer on the network** (paragraph 17; the art teaches methods of accessing, controlling, and managing peripheral *devices*, such as printing devices; furthermore, a printing device comprises a printer incorporating a web server on a network; therefore, several printers with embedded web servers can be on a network).

Lomas, Nagasaka, and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas and Nagasaka's system have a web server on another printer on the network, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas and Nagasaka's system could have flexibility to allow web pages to be generated by other printers with links to print drivers. Therefore, it would have been obvious to combine the teachings of Parry with the system of Lomas and Nagasaka to obtain the invention in claim 10.

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Athanasios Tom Papanikolaou whose telephone number is (571)272-7953. The examiner can normally be reached on 9 a.m-5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

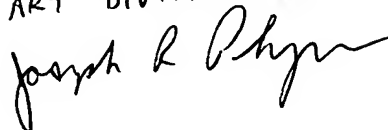
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Athanasios Papanikolaou

JOSEPH R. POKRZYWA  
PRIMARY EXAMINER  
ART DIVISION 2625

A handwritten signature in black ink, appearing to read "Joseph R. Pokrzywa". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.